

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

UNITED STATES OF AMERICA)
)
)
v.) Case No. 7:11-CR-147-1F
)
)
RONALD EUGENE BURRELL,)
Defendant.)

ORDER TO REDUCE TERM
OF IMPRISONMENT TO TIME SERVED

BEFORE THE COURT is a motion filed by the United States of America and the Director of the Federal Bureau of Prisons pursuant to 18 U.S.C. § 3582(c)(1)(A)(i), seeking a modification of the term of imprisonment of the defendant, Ronald Eugene Burrell, to time served, and commencement of a three-year term of supervised release previously imposed. The court finds:

1. Ronald Eugene Burrell pleaded guilty to violating 18 U.S.C. § 371, Conspiracy to Commit Fraud Against the Government.

2. Mr. Burrell was sentenced on January 16, 2013, in the United States District Court for the Eastern District of North Carolina, to 60 months of imprisonment with three years of supervised release.

3. Mr. Burrell, age 59, suffers from metastatic prostate cancer that has spread to the bones. His condition is terminal and his life expectancy is less than 18 months.

4. Title 18 U.S.C. § 3582(c)(1)(A)(i) authorizes the court, upon motion of the Director of the Federal Bureau of Prisons, to modify a term of imprisonment upon the finding that extraordinary and compelling reasons warrant the reduction. The Director of the Federal Bureau of Prisons contends, and this court agrees, that the defendant's terminal medical condition and limited life expectancy constitute extraordinary and compelling reasons warranting the requested reduction.

IT IS THEREFORE ORDERED that the defendant's term of imprisonment is hereby reduced to the time he has already served.

IT IS FURTHER ORDERED that the defendant shall be released from the custody of the Federal Bureau of Prisons as soon as his medical condition permits, the release plan is implemented, and travel arrangements can be made.

IT IS FURTHER ORDERED that upon his release from the custody of the Federal Bureau of Prisons, the defendant shall begin serving the three-year term of supervised release previously imposed.

DONE AND ORDERED THIS 1st DAY OF October 2015.

James C. Fox
JAMES C. FOX

Senior United States District Judge